

ORIGINAL

(36)
2-15-01
SC

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRIAN DOUGLAS, plaintiff

Civil Action - LAW

v.

FILED
HARRISBURG, PA

No. EOO-CV-0982

MARTIN E. HORN, ET AL, defendants

FEB 14 2001

(JURY TRIAL DEMANDED)

MARY E. D'ANDREA, CLERK
Per SC

Judge SYLVIA RAMBO

Plaintiff's Response/ANSWERS to defendant(s) Motion(s) to dismiss

(Plaintiff did NOT receive a copy of said Motion(s) to dismiss until 3 Feb. 2001,
The date plaintiff was returned to SCI-Camp Hill. See attached exhibits.)

Plaintiff hereby responds/ANSWERS to defendant(s) Motion(s) to dismiss accordingly.

1. The plaintiff hereby withdraws ANY ALLEGED claims with respect to MEGAN's LAW.
2. The plaintiff hereby withdraws ANY ALLEGED claims with respect to the operation of the SEX OFFENDERS program, with the exception as to discriminatory practices employed by NAMED defendants, the labeling of uniform by SAME, that indicate to other ASSAULTIVE INMATES, that plaintiff is a SEX OFFENDER, and false retaliatory misconducts for exercising
3. As to plaintiff's allegations of CONSPIRACY, it should be noted that plaintiff's original complaint does set forth with specificity, a chronology of events where the defendant had a MEETING of the MINDS, to CAUSE, bring about AND/OR deprive said plaintiff of

rights, privileges and immunities secured by our United States Constitution, or by virtue of any laws of constitutional consequence, for exercising rights. (GRIEVANCE)

4. The plaintiff is a pro se litigant, and cannot, should not and ought not be held to the same standards as any member of the bar of this court.

5. As to any claims not pursued on administrative appeals, plaintiff withdraws any alleged claims with respect to same, with the exception as to any claims that were subsequently pursued on an appeal that are contained subject matter on those that which were processed on said administrative appeals of record. All other administrative processes have been exhausted.

6. Plaintiff withdraws any alleged claims with respect to defendants HAMBERGE, GIMBLE AND GAULT, with the exception as to any claims, thus indicative, consequence, that tend to support plaintiff's sequential conspiracy allegations.

7. Plaintiff withdraws any alleged claims as to defendant WARD.

8. As to plaintiff's conspiracy allegations, the defendants utilized their authoritative positions, to discriminate, retaliate, cause physical injury, and to interfere, impede and/or deprive plaintiff of rights, privileges and immunities secured by our United States Constitution or by virtue of any laws of constitutional consequence.

9. As to defendant LASKY, plaintiff submitted inmate grievance(s), and said grievance(s) were processed and investigated. DR. LASKY is fully aware of the content of same, and said grievance(s) were appealed. Moreover and aside from same the defendant did not file an answer to the specific claims of allegation contained in the complaint and instead, has elected to rely upon a defense of failure to exhaust administrative remedies, and proposes that this court dismiss suit as to same with prejudice and as a pro se litigant, leave to amend as to defendant LASKY should be granted.

should this court, (although unlikely), find that plaintiff's claims as to same, are lacking in merit or factual specificity.

For the foregoing reasons, defendant's motion(s) to dismiss should be denied, in part, and granted, in part.

Respectfully Submitted,


BRIAN Douglas, DP-1285

Box 200, 2520 LISBURN Rd.

Camp Hill, PA 17001-0200

PRO SE/PLAINTIFF

DATED: 10 FEBRUARY 2001

VERIFICATION

I, BRIAN Douglas, plaintiff, do hereby verify under the penalty of perjury, that the facts contained herein (if any), are true to the best of my knowledge, information and/or belief.


BRIAN Douglas, DP-1285

Box 200, 2520 LISBURN Rd.

Camp Hill, PA 17001-0200

DATED: 10 FEBRUARY 2001

CERTIFICATE OF SERVICE

I, BRIAN Douglas, plaintiff, do hereby certify that I HAVE SERVED TRUE AND
CORRECT COPIES OF PLAINTIFF'S RESPONSE/ANSWER TO DEFENDANT(S) MOTION(S) TO
DISMISS, upon the below indicated, by UNITED STATES MAIL, on this
10th day of FEBRUARY 2001.


BRIAN Douglas, Dp-1285

Box 200, 2520 LISBURN RD.

CAMP HILL, PA 17001-0200

PLAINTIFF/PRO SE

DATED: 10 FEBRUARY 2001.

IN THE MATTER OF : IN THE COURT OF COMMON PLEAS OF
JASMINE MARIE HANNA : DAUPHIN COUNTY, PENNSYLVANIA
A MINOR UNDER THE AGE : ORPHANS' COURT DIVISION
OF 18 YEARS : NO. 5528-2000

NOTICE OF HEARING

A petition has been filed asking the Court to put an end to all rights you have to your child, Jasmine Marie Hanna. The Court has set a hearing to consider ending your rights to your child. That hearing will be held in the Dauphin County Courthouse, Front and Market Streets, Harrisburg, Pennsylvania in Courtroom 5 on January 29, 2001, at 1:30 P.M. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Dauphin County Lawyer Referral Service
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

DAUPHIN COUNTY SOCIAL SERVICES
FOR CHILDREN AND YOUTH

BY Marion E. MacIntyre
Marion E. MacIntyre, Esquire

NOTICE IS TO:

Robin Hanna
20 C Hall Manor
Harrisburg, PA 17104

COPY TO:

Brian Douglas
Camp Hill S.C.I.
DP1285
P. O. Box 200
Camp Hill, PA 17011-0200

DATED: January 16, 2001

DATED: January 16, 2001

IN THE MATTER OF
JASMINE MARIE HANNA
A MINOR UNDER THE AGE
OF 18 YEARS

IN THE COURT OF COMMON PLEAS OF
DAUPHIN COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
NO. 5528-2000

PRELIMINARY DECREE

AND NOW this 5th day of December, 2000, upon consideration of the Petition herein and upon the Motion of Marion E. MacIntyre, Attorney for the Petitioner, it is hereby ORDERED and DECREED that a hearing be held on the 29th day of January, 2001, at 1:30 o'clock P.M. in Court Room 5, Fifth Floor, Dauphin County Court House, Harrisburg, Pennsylvania.

IT IS FURTHER ORDERED that the Petitioner shall give notice of the time and place of the above hearing to the Father of Jasmine Marie Hanna, Brian Douglas, as prescribed by the Adoption Act by personal service or by certified mail to his last known address not less than 10 days before said hearing.

BY THE COURT:

Edell Hoover

J.